

Tuesday, November 4, 1997

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11617–S11707

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 1359–1369 and S. Con. Res. 60. Pages S11677–78

Measures Reported: Reports were made as follows:

S. 1219, to require the establishment of a research and grant program for the eradication or control of *Pfiesteria piscicida* and other aquatic toxins, with an amendment in the nature of a substitute. (S. Rept. No. 105–132)

H.R. 651, to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington. (S. Rept. No. 105–133)

H.R. 652, to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington. (S. Rept. No. 105–134)

H.R. 848, to extend the deadline under the Federal Power Act applicable to the construction of the AuSable Hydroelectric Project in New York. (S. Rept. No. 105–135)

H.R. 1184, to extend the deadline under the Federal Power Act for the construction of the Bear Creek hydroelectric project in the State of Washington. (S. Rept. No. 105–136)

H.R. 1217, to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington. (S. Rept. No. 105–137)

H.R. 858, to direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities, with an amendment in the nature of a substitute. (S. Rept. No. 105–138)

S. 759, to provide for an annual report to Congress concerning diplomatic immunity, with an amendment in the nature of a substitute.

S. 1258, to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to prohibit an alien who is not lawfully present in the United States from receiving assistance under that Act, with an amendment.

S. Con. Res. 48, expressing the sense of the Congress regarding proliferation of missile technology from Russia to Iran.

S. Con. Res. 58, expressing the sense of Congress over Russia's newly passed religion law.

Pages S11666–67

Measures Passed:

Hoopa Valley Reservation Adjustment: Senate passed H.R. 79, to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe, clearing the measure for the President.

Page S11703

International Immunization Requirement Exemption: Senate passed H.R. 2464, to amend the Immigration and Nationality Act to exempt internationally adopted children under age 10 from the immunization requirement, clearing the measure for the President.

Pages S11703–04

Veterans' Cemetery Protection Act of 1997: Senate passed S. 813, to amend chapter 91 of title 18, United States Code, to provide criminal penalties for theft and willful vandalism at national cemeteries, after agreeing to a committee amendment in the nature of a substitute.

Page S11704

U.S. Fire Administration Authorization: Senate passed S. 1231, to authorize appropriations for fiscal years 1998 and 1999 for the United States Fire Administration.

Pages S11704–05

Battle of Midway National Memorial Act: Senate passed S. 940, to provide for a study of the establishment of Midway Atoll as a national memorial

to the Battle of Midway, after agreeing to a committee amendment in the nature of a substitute.

Pages S11705–06

Mississippi Navigation Regulation: Senate passed S. 1324, to deauthorize a portion of the project for navigation, Biloxi Harbor, Mississippi.

Page S11706

Grand Teton Grazing Study: Senate passed H.R. 708, to require the Secretary of the Interior to conduct a study concerning grazing use and open space within and adjacent to Grant Teton National Park, Wyoming, and to extend temporarily certain grazing privileges, clearing the measure for the President.

Page S11706

Education Savings Act for Public and Private Schools—Cloture Vote: By 56 yeas to 44 nays (Vote No. 291), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to close further debate H.R. 2646, to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, and to increase the maximum annual amount of contributions to such accounts.

Pages S11626–27

Reciprocal Trade Agreement/Fast Track: Senate began consideration of the motion to proceed to the consideration of S. 1269, to establish objectives for negotiating and procedures for implementing certain trade agreements.

Pages S11632–61

During consideration of this measure today, Senate took the following action:

By 69 yeas to 31 nays (Vote No. 292), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to a motion to close further debate on the motion to proceed to consideration of the bill.

Page S11632

A unanimous-consent time-agreement was reached providing for further consideration of the motion to proceed to consideration of the bill on Wednesday, November 5, 1997, with a vote on, or in relation to the motion to occur thereon.

Pages S11706–07

Nomination—Agreement: A unanimous-consent time-agreement was reached providing for the consideration of the nomination of James S. Gwin, of Ohio, to be United States District Judge for the Northern District of Ohio, on Wednesday, November 5, 1997, with a vote to occur thereon.

Pages S11703, S11706

Appointments:

Board of Visitors—U.S. Military Academy: The Chair, on behalf of the Vice President, pursuant to 10 USC 4355(a) appointed Senator Lautenberg, from the Committee on Appropriations, to the Board of

Visitors of the U.S. Military Academy, vice Senator Kohl.

Page S11703

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting the report of the Executive Order blocking Sudanese government property and prohibiting transactions with Sudan; referred to the Committee on Banking, Housing, and Urban Affairs. (PM—79).

Page S11666

Messages From the President:

Page S11666

Messages From the House:

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Petitions:

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Executive Reports of Committees: Pages S11667–77

Statements on Introduced Bills: Pages S11678–92

Additional Cosponsors: Pages S11692–93

Notices of Hearings: Page S11694

Authority for Committees: Pages S11694–95

Additional Statements: Pages S11695–S11703

Record Votes: Two record votes were taken today. (Total—292)

Pages S11626–27, S11632

Adjournment: Senate convened at 10 a.m., and adjourned at 8:11 p.m., until 9:30 a.m., on Wednesday, November 5, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11707.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Kevin Emanuel Marchman, of Colorado, to be Assistant Secretary for Public and Indian Housing, Saul N. Ramirez, Jr., of Texas, to be Assistant Secretary for Community Planning and Development, Richard F. Keevey, of Virginia, to be Chief Financial Officer, Eva M. Plaza, of Maryland, to be Assistant Secretary for Fair Housing and Equal Opportunity, and Gail W. Laster, of New York, to be General Counsel, all of the Department of Housing and Urban Development, Jo Ann Jay Howard, of Texas, to be Federal Insurance Administrator, Federal Emergency Management Agency, and F. Amanda Debusk, of Maryland, to be an Assistant Secretary, R. Roger Majak, of Virginia, to be Assistant Secretary for Export Administration, and David L. Aaron, of New York, to be Under Secretary for International Trade, all of the Department of Commerce.

YEAR 2000 LIABILITY AND DISCLOSURE

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Services and Technology concluded hearings to examine potential economic risks associated with the Year 2000 computer conversion problem and its impact on the financial services industry, and proposals to require United States corporations to fully disclose all information concerning their year 2000 remediation efforts and potential liabilities, after receiving testimony from Edward E. Yardeni, Deutsche Morgan Grenfell, New York, New York.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

The nominations of Terry D. Garcia, of California, to be Assistant Secretary for Oceans and Atmosphere, and Raymond G. Kammer, of Maryland, to be Director, National Institute of Standards and Technology, both of the Department of Commerce, and Arthur Bienenstock, of California, and Duncan T. Moore, of New York, each to be an Associate Director of the Office of Science and Technology Policy, and two promotion lists in the U.S. Coast Guard, received in the Senate on October 7 and October 29, 1997;

S. 442, to establish a national policy against State and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, with an amendment in the nature of a substitute;

S. 608, to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment;

S. 1354, to provide for the designation of common carriers not subject to the jurisdiction of a State commission as eligible telecommunications carriers;

S. 852, to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles, with an amendment in the nature of a substitute;

H.R. 624, to revise certain requirements for State reciprocity of weapons licenses for armored car company crew members;

S. 1115, to create uniform national standards and provide grants to establish or improve State one-call notification systems designed to protect America's underground infrastructure which includes buried

communication and fiber optic cables, water and sewer pipes, electric lines, and oil and gas pipelines;

S. 1213, to establish a National Ocean Council and a Commission on Ocean Policy to develop and implement national ocean and coastal policy to conserve use fisheries and other ocean and coastal resources and to protect the marine environment, with amendments;

Provisions of S. 1216, to approve and implement the Agreement Respecting Normal Competitive Conditions in the Commercial Shipbuilding and Repair Industry (Shipbuilding Agreement), negotiated under the auspices of the Organization for Economic Cooperation and Development, with an amendment;

S. 1248, to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for vessel SUMMER BREEZE;

S. 1272, to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel ARCELLA; and

H.R. 1271, authorizing funds for fiscal years 1998 through 2000 for Federal Aviation Administration's research, engineering, and development programs, with an amendment in the nature of a substitute. (As approved by the Committee, the amendment incorporates provisions of S. 1358, Senate companion measure and authorizes \$229.7 million for fiscal year 1998.)

Also, committee began consideration of S. 943, to allow a dependent of a victim of an international aviation accident occurring on or after January 1, 1995, to sue for pecuniary loss, but did not complete action thereon, and recessed subject to call.

NEXT GENERATION INTERNET

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded hearings to examine the federal management of the President's Next Generation Internet initiative, a research program to foster partnerships among academia, industry and Federal laboratories to develop and experiment with technologies that will promote a high-quality network infrastructure, after receiving testimony from John H. Gibbons, Assistant to the President, Office of Science and Technology Policy; Martha Krebs, Director of Energy Research, Department of Energy; George Strawn, Director, Networking, Communications, Research, and Infrastructure Division, National Science Foundation; David L. Tennenhouse, Director, Information Technology Office, Defense Advanced Research Projects Agency; John Miller, Montana State University, Bozeman; Robert C. Ward, University of Tennessee,

Knoxville; and Stephen S. Wolff, Cisco Systems, Inc., Washington, D.C.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded hearings on the nominations of Linda Key Breathitt, of Kentucky, and Curt Hebert Jr., of Mississippi, each to be a Member of the Federal Energy Regulatory Commission, Department of Energy, after the nominees testified and answered questions in their own behalf. Ms. Breathitt was introduced by Senator Ford, and Mr. Hebert was introduced by Senator Lott.

ELEPHANT CONSERVATION

Committee on Environment and Public Works: Committee concluded hearings on S. 627 and H.R. 39, bills authorizing funds through fiscal year 2002 for programs of the African Elephant Conservation Act, and S. 1287 and H.R. 1787, bills to assist in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated expertise in the conservation of Asian elephants, after receiving testimony from Senator Jeffords; Representative Saxton; Marshall P. Jones, Assistant Director for International Affairs, U.S. Fish and Wildlife Service, Department of the Interior; Ginette Hemley, World Wildlife Fund, and John W. Grandy, Humane Society of the United States, both of Washington, D.C.; and Stuart A. Marks, Safari Club International, Herndon, Virginia.

TRANSPORTATION FUNDING

Committee on Environment and Public Works: Subcommittee on Transportation and Infrastructure concluded hearings to examine the status of federal surface transportation programs in the absence of funding from a federal highway reauthorization act, and strategies to temporarily assist States to continue to fund highway programs, after receiving testimony from Peter J. Basso, Acting Assistant Secretary of Transportation for Budget and Programs; Phyllis F. Scheinberg, Associate Director, Transportation Issues, Resources, Community, and Economic Development Division, General Accounting Office; Kentucky Governor Paul E. Patton, Frankfort, on behalf of the National Governors' Association; and Steve L. Massie, Williamsburg, Virginia, on behalf of the Transportation Construction Coalition.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 759, to provide for an annual report to Congress concerning diplomatic immunity, with an amendment in the nature of a substitute;

S. Con. Res. 48, expressing the sense of the Congress regarding proliferation of missile technology from Russia to Iran;

S. Con. Res. 58, expressing the concern of Congress over Russia's newly passed religion law; and

The nominations of Steven J. Green, of Florida, to be Ambassador to the Republic of Singapore, Daniel Fried, of the District of Columbia, to be Ambassador to the Republic of Poland, Peter Francis Tufo, of New York, to be Ambassador to the Republic of Hungary, James Carew Rosapepe, of Maryland, to be Ambassador to Romania, Thomas J. Miller, of Virginia, for the rank of Ambassador during his tenure of service as Special Coordinator for Cyprus, David Timothy Johnson, of Georgia, for the rank of Ambassador during his tenure of service as Head of the United States Delegation to the Organization for Security and Cooperation in Europe (OSCE), Cheryl F. Halpern, of New Jersey, to be a Member of the Broadcasting Board of Governors, United States Information Agency, Richard Frank Celeste, of Ohio, to be Ambassador to India, Shaun Edward Donnelly, of Indiana, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives, Edward M. Gabriel, of the District of Columbia, to be Ambassador to the Kingdom of Morocco, Cameron R. Hume, of New York, to be Ambassador to the Democratic and Popular Republic of Algeria, Daniel Charles Kurtzer, of Maryland, to be Ambassador to the Arab Republic of Egypt, James A. Larocco, of Virginia, to be Ambassador to the State of Kuwait, and Edward S. Walker, Jr., of Maryland, to be Ambassador to Israel, Harriet C. Babbitt, of Arizona, to be Deputy Administrator, Terrence J. Brown, of Virginia, to be Assistant Administrator for Management, and Thomas H. Fox, of the District of Columbia, to be Assistant Administrator for Policy and Program Coordination, all of the Agency for International Development, Amy L. Bondurant, of the District of Columbia, to be Representative of the United States to the Organization for Economic Cooperation and Development, with the rank of Ambassador, Kirk K. Robertson, of Virginia, to be Executive Vice President of the Overseas Private Investment Corporation, Joseph A. Presel, of Rhode Island, to be Ambassador to the Republic of Uzbekistan, Stanley Tuemler Escudero, of Florida, to be Ambassador to the Republic of Azerbaijan, B. Lynn Pascoe, of Virginia, for the rank of Ambassador during his tenure of Service as Special Negotiator for Nagorno-Karabakh, Steven Karl Pifer, of California,

to be Ambassador to Ukraine, Lyndon Lowell Olson, Jr., of Texas, to be Ambassador to Sweden, Gerald S. McGowan, of Virginia, to be Ambassador to the Republic of Portugal, Kathryn Linda Haycock Proffitt, of Arizona, to be Ambassador to the Republic of Malta, James Catherwood Hormel, of California, to be Ambassador to Luxembourg, and David B. Hermelin, of Michigan, to be Ambassador to Norway, Christopher C. Ashby, of Connecticut, to be Ambassador to the Oriental Republic of Uruguay, Hank Brown, of Colorado, to be a Member of the United States Advisory Commission on Public Diplomacy, Timothy Michael Carney, of Washington, to be Ambassador to the Republic of Haiti, Carolyn Curiel, of Indiana, to be Ambassador to Belize, Mark Erwin, of Florida, to be Member of the Board of Directors of the Overseas Private Investment Corporation, Mary Mel French, of the District of Columbia, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service, Kathryn Walt Hall, of Texas, to be Ambassador to the Republic of Austria, Betty Eileen King, of Maryland, to be Representative of the United States on the Economic and Social Council of the United Nations, with the rank of Ambassador, Penne Percy Korth, of Texas, to be a Member of the United States Advisory Commission on Public Diplomacy, Victor Marrero, of New York, to be the Permanent Representative of the United States to the Organization of American States, with the rank of Ambassador, Stanley Louis McLelland, of Texas, to be Ambassador to Jamaica, William Dale Montgomery, of Pennsylvania, to be Ambassador to the Republic of Croatia, George Edward Moose, of Maryland, to be Representative of the United States to the European Office of the United Nations, with the rank of Ambassador, Phyllis E. Oakley, of Louisiana, to be Assistant Secretary of State for Intelligence and Research, Nancy H. Rubin, of the District of Columbia, for the rank of Ambassador during her tenure of service as Representative of the United States on the Human Rights Commission of the Economic and Social Council of the United Nations, Lange Schermerhorn, of New Jersey, to be Ambassador to the Republic of Djibouti, Brenda Schoonover, of Maryland, to be Ambassador to the Republic of Togo, Carl Spielvogel, of New York, to be a Member of the Broadcasting Board of Governors, Julia V. Taft, of the District of Columbia, to be Assistant Secretary of State for Population, Refugees and Migration, William H. Twaddell, of Rhode Island, to be Ambassador to the Federal Republic of Nigeria, Alexander Vershbow, of the District of Columbia, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador, Frank D.

Yturria, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation, Bill Richardson, of New Mexico, to be a Representative of the United States to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States to the United Nations, A. Peter Burleigh, of California, to be a Representative of the United States to the Sessions of the General Assembly of the United Nations during his tenure of service as Deputy Representative of the United States to the United Nations, Betty Eileen King, of Maryland, to be an Alternate Representative of the United States to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States on the Economic and Social Council of the United Nations, Richard Sklar, of California, to be an Alternate Representative of the United States to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States to the United Nations for UN Management and Reform, and three Foreign Service Officer promotion lists received in the Senate on September 3 (omit John M. O'Keefe), October 8, and October 9, 1997 (omit Stephen A. Dodson).

NOMINATIONS

Committee on Governmental Affairs: Committee concluded hearings on the nominations of Ernesta Ballard, of Alaska, to be a Governor of the United States Postal Service, Dale Cabaniss, of Virginia, to be a Member of the Federal Labor Relations Authority, and Susanne T. Marshall, of Virginia, to be a Member of the Merit Systems Protection Board, after the nominees testified and answered questions in their own behalf. Ms. Ballard and Ms. Cabaniss were introduced by Senators Stevens and Murkowski, and Ms. Marshall was introduced by Senator Stevens.

COMPETITION IN THE DIGITAL AGE

Committee on the Judiciary: Committee held hearings to examine the impact of high-growth technology and the internet on antitrust, intellectual property, competition policy and enforcement, including Microsoft's recent efforts to exercise its monopoly power and the Department of Justice's pending action against the company, receiving testimony from Robert E. Kahn, Corporation for National Research Initiatives, Reston, Virginia; Kathie Sawyer, Paper-Work Solutions, Inc., Westford, Vermont; Paul M. Ruden, American Society of Travel Agents, Alexandria, Virginia; Edward J. Black, Computer and Communications Industry Association, Charles F. Rule, Covington and Burling, and Kevin J. Arquit, Rogers and Wells, all of Washington, D.C.; and Joseph Farrell, University of California, Berkeley.

Hearings were recessed subject to call.

NOMINATIONS

Committee on Veterans Affairs: Committee ordered favorably reported the nominations of Richard J. Griffin, of Illinois, to be Inspector General, and Joseph Thompson, of New York, to be Under Secretary for Benefits, both of the Department of Veterans Affairs, William P. Greene, Jr., of West Virginia, to be an Associate Judge of the United States Court of Veterans Appeals, and Espiridion A. Borrego, of Texas, to be Assistant Secretary of Labor for Veterans' Employment and Training.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

H.R. 976, to provide for the disposition of certain funds appropriated to pay judgement in favor of the Mississippi Sioux Indians, with an amendment in the nature of a substitute; and

The nomination of Kevin Gover, of New Mexico, to be Assistant Secretary of the Interior for Indian Affairs.

House of Representatives

Chamber Action

Bills Introduced: 18 public bills, H.R. 2795–2812; 1 private bill, H.R. 2813; and 1 resolution, H. Res. 301, were introduced.

Pages H9993–94

Reports Filed: Reports were filed as follows:

Filed on November 3, H.R. 10, to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers (H. Rept. 105–164 Part 3);

H.R. 2675, to require that the Office of Personnel Management submit proposed legislation under which group universal life insurance and group variable universal life insurance would be available under chapter 87 of title 5, United States Code, amended (H. Rept. 105–373);

H.R. 1836, amended, to amend chapter 89 of title 5, United States Code, to improve administration of sanctions against unfit health care providers under the Federal Employees Health Benefits Program, amended (H. Rept. 105–374);

H.R. 2709, to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles, amended (H. Rept. 105–375);

H.R. 2534, to reform, extend, and repeal certain agricultural research, extension, and education programs, amended (H. Rept. 105–376);

H.R. 799, to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness (H. Rept. 105–377);

H.R. 838, to require adoption of a management plan for the Hells Canyon National Recreation Area

that allows appropriate use of motorized and non-motorized river craft in the recreation area (H. Rept. 105–378);

H. Res. 302, providing for consideration of nine measures relating to the policy of the United States with respect to the People's Republic of China (H. Rept. 105–379); and

H. Res. 303, providing for consideration of H.R. 2676, to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service (H. Rept. 105–380).

Page H9993

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Snowbarger to act as Speaker pro tempore for today.

Page H9867

Recess: The House recessed at 10:44 a.m. and reconvened at 12:00 noon.

Page H9868

Private Calendar: On the call of the Private Calendar, the House passed H.R. 2732, for the relief of John Andre Chalot and H.R. 2731, for the relief of Roy Desmond Moser.

Page H9869

Funeral Committee: Pursuant to the provisions of H. Res. 286, the Chair announced the Speaker's appointment of the following members of the House to the Committee to Attend the Funeral of the late Walter H. Capps: Representatives Dellums, Gephardt, Fazio of California, Brown of California, Stark, Miller of California, Waxman, Dixon, Lewis of California, Matsui, Thomas, Dreier, Hunter, Lantos, Martinez, Berman, Packard, Torres, Gallegly, Herger, Pelosi, Cox of California, Rohrabacher, Condit, Cunningham, Dooley of California, Doolittle, Waters, Becerra, Calvert, Eshoo, Filner, Harman, Horn, Kim, McKeon, Pombo, Roybal-Allard, Royce, Woolsey, Farr of California, Riggs, Bilbray, Bono, Lofgren, Radanovich, Campbell, Millender-

McDonald, Rogan, Sherman, Sanchez, Tauscher, Sensenbrenner, Kennedy of Rhode Island, Jackson of Illinois, Johnson of Wisconsin, and Christian-Green.

Page H9872

Presidential Messages: Read the following messages from the President that were transmitted to the Clerk:

Transportation Appropriations Line Item Veto: Message wherein he, in accordance with the Line Item Veto Act (P.L. 104-130), cancels the dollar amounts of discretionary budget authority contained in the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105-66; H.R. 2169)—referred to the Committees on the Budget and Appropriations and ordered printed (H. Doc. 105-168);

Page H9872

VA and HUD Appropriations Line Item Veto: Message wherein he, in accordance with the Line Item Veto Act (P.L. 104-130), cancels the dollar amounts of discretionary budget authority contained in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998 (Public Law 105-65; H.R. 2158)—referred to the Committees on the Budget and Appropriations and ordered printed (H. Doc. 105-167);

Page H9872

National Emergency Re Sudan: Message wherein he declares that the policies of the Government of Sudan constitute a threat to the national security and foreign policy of the United States and declares a national emergency to deal with the threat—referred to the Committee on International Relations and ordered printed (H. Doc. 105-166).

Pages H9872-73

Suspensions: The House agreed to suspend the rules and pass the following measures:

Distribution of Phonorecords Re Copyright Law: Concurred in Senate amendments to H.R. 672, to make technical amendments to certain provisions of title 17, United States Code—clearing the measure for the President;

Pages H9882-83

Electronic Theft of Copyrighted Works: H.R. 2265, amended, to amend the provisions of titles 17 and 18, United States Code, to provide greater copyright protection by amending criminal copyright infringement provisions;

Pages H9883-87, H9983

Identification of Illegal Aliens in Local Prisons: H.R. 1493, amended, to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States (passed by a ye and nay vote of 410 yeas to 2 nays, Roll No. 571);

Pages H9887-91, H9966

Apalachicola-Chattahoochee-Flint River Basin Compact: H.J. Res. 91, amended, granting the consent of Congress to the Apalachicola-Chattahoochee-Flint River Basin Compact;

Pages H9891-95, H9983

Alabama-Coosa-Tallapoosa River Basin Compact: H.J. Res. 92, amended, granting the consent of Congress to the Alabama-Coosa-Tallapoosa River Basin Compact;

Pages H9895-H9900, H9983

Commercial Space Act: H.R. 1702, amended, to encourage the development of a commercial space industry in the United States;

Pages H9900-07, H9983

Salvage Motor Vehicle Consumer Protection: H.R. 1839, amended, to establish nationally uniform requirements regarding the titling and registration of salvage, non-repairable, and rebuilt vehicles (passed by a ye and nay vote of 336 yeas to 72 nays, Roll No. 572);

Pages H9907-14, H9985

Federal Employees Health Care Protection: H.R. 1836, amended, to amend chapter 89 of title 5, United States Code, to improve administration of sanctions against unfit health care providers under the Federal Employees Health Benefits Program;

Pages H9914-20, H9983

Federal Employees Life Insurance Improvement: H.R. 2675, amended, to require that the Office of Personnel Management submit proposed legislation under which group universal life insurance and group variable universal life insurance would be available under chapter 87 of title 5, United States Code;

Pages H9920-22, H9983

Transfer of Surplus Property From Military Bases: H.R. 404, amended, to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local governments of certain surplus property for use for law enforcement or public safety purposes. Agreed to amend the title;

Pages H9922-23, H9983

Carson and Santa Fe National Forests Land Conveyance: H.R. 434, amended, to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico;

Pages H9923-25, H9983

Expansion of the Eagles Nest Wilderness: S. 588, to provide for the expansion of the Eagles Nest Wilderness within the Arapaho National Forest and the White River National Forest, Colorado, to include land known as the Slate Creek Addition—clearing the measure for the President;

Pages H9925, H9983-84

Raggeds Wilderness Boundary Adjustment and Land Conveyance: S. 589, to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest,

Colorado, to correct the effects of earlier erroneous land surveys—clearing the measure for the President;

Pages H9925–26, H9984

Transfer of the Dillon Ranger District, Colorado: S. 591, to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in the State of Colorado—clearing the measure for the President;

Pages H9926–27, H9984

Hinsdale County, Colorado Land Exchange: S. 587, to require the Secretary of the Interior to exchange certain lands located in Hinsdale County, Colorado (passed by a ye and nay vote of 406 yeas with none voting “nay”, Roll No. 572) —clearing the measure for the President;

Pages H9927, H9984

Marjory Stoneman Douglas Wilderness and Ernest F. Coe Visitor Center: S. 931, to designate the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center—clearing the measure for the President;

Pages H9927–28

Volunteers for Wildlife Act: H.R. 1856, amended, to amend the Fish and Wildlife Act of 1956 to direct the Secretary of the Interior to conduct a volunteer pilot project at one national wildlife refuge in each United States Fish and Wildlife Service region; and

Pages H9928–31, H9985

Distribution of Judgment Funds of the Ottawa and Chippewa Indians: H.R. 1604, amended, to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18–E, 58, 364, and 18–R before the Indian Claims Commission.

Pages H9931–37, H9985

Suspensions—Failed: The House failed to suspend the rules and pass the following measures:

U.S.-Caribbean Trade Partnership Act: H.R. 2644, to provide to beneficiary countries under the Caribbean Basin Economic Recovery Act benefits equivalent to those provided under the North American Free Trade Agreement (failed to pass by a ye and nay vote of 182 yeas to 234 nays, Roll No. 570); and

Pages H9873–81, H9965–66

Burt Lake Band of Ottawa and Chippewa Indians: H.R. 948, to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe (failed to pass by a ye and nay vote of 240 yeas to 167 nays, Roll No. 574; 2/3 required to pass).

Pages H9937–41, H9985–86

HELP Scholarships Act: By a ye and nay vote of 191 yeas to 228 nays, Roll No. 569, the House failed to pass H.R. 2746, to amend title VI of the Elementary and Secondary Education Act of 1965 to

give parents with low-incomes the opportunity to choose the appropriate school for their children.

Pages H9941–65

By a ye and nay vote of 203 yeas to 215 nays, Roll No. 568, rejected the Etheridge motion to recommit the bill to the Committee on education and the Workforce with instructions to hold a full, open, and fair hearing and markup on the bill before reporting it to the full House for consideration.

Pages H9962–64

The House agreed to H.Res. 288, the rule providing for consideration of both H.R. 2746 and H.R. 2616 on October 31.

Pages H9814–32

Charter Schools Amendments Act of 1997: The House completed general debate on H.R. 2616, to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools.

Pages H9970–83

Agreed to the Riggs amendment, as modified, that makes technical and clarifying changes relating to best practices of charter schools and the Federal formula allocation during the first year and for successive enrollment expansions.

Pages H9981–82

Senate Messages: Message received from the Senate today appears on page H9867.

Amendments: Amendment ordered printed pursuant to the rule appears on page H9994.

Quorum Calls—Votes: Seven ye-and-nay votes developed during the proceedings of the House today and appear on pages H9964, H9964–65, H9965–66, H9966, H9984, H9985, and H9985–86. There were no quorum calls.

Adjournment: Met at 10:30 a.m. and adjourned at 11:48 p.m.

Committee Meetings

BANKING AND THE YEAR 2000 COMPUTER PROBLEM

Committee on Banking and Financial Services: Held a hearing on the Millennium Bug: Banking and the Year 2000 computer problem. Testimony was heard from Edward W. Kelley, Jr., member, Board of Governors, Federal Reserve System; Eugene A. Ludwig, Comptroller of the Currency, Department of the Treasury and Chairman, Federal Financial Institutions Examination Council; and public witnesses.

EPA REGULATORY REINVENTION EFFORTS

Committee on Commerce: Subcommittee on Oversight and Investigations held a hearing on the Federal-State Relationship: A Look into EPA Regulatory Reinvention Efforts. Testimony was heard from Peter F. Guerrero, Director, Environmental Protection Issues,

GAO; J. Charles Fox, Associate Administrator, Office of Reinvention, EPA; and public witnesses.

CHILD SUPPORT ENFORCEMENT SERVICES PRIVATIZATION

Committee on Government Reform and Oversight: Subcommittee on Human Resources held an oversight hearing on Privatization of Child Support Enforcement Services. Testimony was heard from Representative Bilirakis; Mark V. Nadel, Associate Director and David P. Bixler, Assistant Director, GAO; and public witnesses.

POSTAL SERVICE—IMPROVING LABOR MANAGEMENT RELATIONS

Committee on Government Reform and Oversight: Subcommittee on the Postal Service held a hearing on Improving Labor Management Relations in the Postal Service. Testimony was heard from Bernard L. Unger, Director, Government Business Operations Issues, GAO; John Calhoun Wells, Director, Federal Mediation and Conciliation Service; Marvin T. Runyon, Postmaster General and CEO, U.S. Postal Service; and public witnesses.

DOD SUPPORT PROGRAM

Committee on National Security: Subcommittee on Military Research and Development held a hearing on Federal response to domestic terrorism involving weapons of mass destruction—status of Department of Defense support program. Testimony was heard from Representative Skelton; Robert M. Blitzer, Section Chief, Domestic Terrorism Planning Section, FBI, Department of Justice; Catherine H. Light, Director, Terrorism Coordination Unit, FEMA; Lisa E. Gordon-Haggerty, Director, Office of Emergency Response, Department of Energy; and the following officials of the Department of Defense: James Q. Roberts, Principal Director, Deputy Assistant Secretary (Policy and Missions), Office of the Assistant Secretary (Special Operations/Low Intensity Conflict); Raymond Dominquez, Deputy Assistant Secretary, (Forces and Resources) Office of the Assistant Secretary (Special Operations/ Low Intensity Conflict); Maj. Gen. Edward Soriano, USA, Director of Military Assistance, Headquarters; Maj. Gen. George E. Friel, USA, Commander, Chemical-Biological Defense Command; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health approved for full Committee action the following bills: H.R. 1659, amended, Mount St. Helens National Volcanic Monument Completion Act; H.R. 2416, provide for the transfer of certain rights and property to the United States Forest Service in exchange for a payment to the occupant of

such property; and H.R. 2574, to consolidate certain mineral interest in the National grasslands in Billings County, ND, through the exchange of Federal and private mineral interest to enhance land management capabilities and environmental and wildlife protection.

IRS RESTRUCTURING AND REFORM ACT

Committee on Rules: Granted, by voice vote, a closed rule providing 2 hours of debate on H.R. 2676, Internal Revenue Service Restructuring and Reform Act of 1997. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means, as modified by the amendments printed in the report of the Committee on Rules be considered as adopted. The rule waives all points of order against the bill, as amended. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Chairman Archer and Representatives Portman, Gekas, Stupak, Farr and Kucinich.

MISCELLANEOUS MEASURES

Committee on Rules: Granted, by voice vote, a rule providing for the consideration of bills in the following manner: First, H.R. 2358, THE POLITICAL FREEDOM IN CHINA ACT, a modified closed amendment process, providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on International Relations, providing that the committee amendment in the nature of a substitute recommended by the Committee on International Relations, as modified by the amendments printed in the report of the Committee on Rules be considered as adopted, and also making in order the Gilman/Markey amendment to be debatable for 30 minutes and finally, providing one motion to recommit, with or without instructions. Second, H.R. 2195, TIGHTENING PROHIBITIONS ON SLAVE LABOR IMPORTS, a closed amendment process, providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on Ways and Means, providing that the committee amendment in the nature of a substitute recommended by the Committee on Ways and Means be considered as adopted and providing one motion to recommit, with or without instructions. Third, H. Res. 188, ON MISSILE PROLIFERATION, a modified closed amendment process providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on International Relations, providing that the amendments printed in the report of the Committee on Rules be considered as adopted and providing one motion to recommit, with or without instructions. Fourth, H.R. 967, FREE THE CLERGY ACT, a

modified closed amendment process, providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on International Relations, providing that the committee amendment in the nature of a substitute recommended by the Committee on International Relations, as modified by the amendment printed in the report of the Committee on Rules be considered as adopted and providing one motion to recommit, with or without instructions. Fifth, H.R. 2570, THE FORCED ABORTION CONDEMNATION ACT, a modified closed amendment process, providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on Judiciary, providing that the amendment printed in the report of the Committee on Rules be considered as adopted and providing one motion to recommit, with or without instructions. Sixth, H.R. 2386, THE TAIWAN MISSILE DEFENSE ACT, a modified closed amendment process, providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on International Relations, providing that the committee amendment in the nature of a substitute recommended by the Committee on International Relations, as modified by the amendments printed in the report of the Committee on Rules be considered as adopted, and providing one motion to recommit, with or without instructions. Seventh, THE COMMUNIST CHINA DE-SUBSIDIZATION ACT, a modified closed amendment process, providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on Banking and Financial Services, and providing that the amendment printed in the report of the Committee on Rules be considered as adopted and providing one motion to recommit, with or without instructions. Eighth, H.R. 2647, DENIAL OF NORMAL COMMERCIAL STATUS TO THE CHINESE PEOPLE'S LIBERATION ARMY, a modified closed amendment process, providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on International Relations, providing that the committee amendment in the nature of a substitute recommended by the Committee on International Relations be considered as adopted, and providing one motion to recommit, with or without instructions. Ninth, H.R. 2232, CONCERNING RADIO FREE ASIA, a closed amendment process, providing one hour of general debate equally divided between the Chairman and ranking member of the Committee on International Relations, providing that the committee amendment in the nature of a substitute recommended by the Committee on International Relations be considered as adopted, and providing one motion to recommit,

with or without instructions. Testimony was heard from Representatives Gilman, McCollum, Mrs. Smith of Washington, Royce, Hamilton, Pelosi, Abercrombie, Harman, and Deutsch.

REPEAL RULE ALLOWING SUBPOENAED WITNESSES TO CHOOSE NOT TO BE PHOTOGRAPHED

Committee on Rules: Held a hearing on H. Res. 298, amending the Rules of the House of Representatives to repeal the rule allowing subpoenaed witnesses to choose not to be photographed at committee hearings. Testimony was heard from Representatives Barr of Georgia, Dingell, Waxman and Frank of Massachusetts.

GLOBAL DIMENSIONS THE MILLENNIUM BUG

Committee on Science: Subcommittee on Technology held hearing on The Global Dimensions of the Millennium Bug. Testimony was heard from Ahmad Kamal, Ambassador and Permanent Representative of Pakistan to the United Nations and Chairman, United Nations Working Group on Informatics; and public witnesses.

OVERSIGHT—U.S. CHINA TRADE RELATIONS

Committee on Ways and Means: Subcommittee on Trade held an oversight hearing on the Future of United States-China Trade Relations and the possible Accession of China to the World Trade Organization. Testimony was heard from the following Senators Liberman and Levin; Representatives Bereuter, Cox of California, and Ewing; Susan G. Esserman, General Counsel, Office of the U.S. Trade Representative; Howard Lang, Acting Deputy Assistant Secretary, East Asia and Pacific Affairs, Department of State; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 5, 1997

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs, Subcommittee on Financial Institutions and Regulatory Relief, to hold hearings to examine the presence of foreign governments and companies, particularly in China, in U.S. securities and banking sectors, and on S. 1315, to establish an Office of National Security within the Securities and Exchange Commission, provide for the monitoring of the extent of foreign involvement in United States securities markets, financial institutions, and pension funds, 9:30 a.m., SD-538.

Committee on Commerce, Science, and Transportation, to hold hearings to examine the environmental consequences of global warming scenarios, 9:30 a.m., SR-253.

Committee on Energy and Natural Resources, business meeting, to consider pending calendar business, time and room to be announced.

Committee on Environment and Public Works, Subcommittee on Transportation and Infrastructure, to hold hearings to examine the General Services Administration proposal to construct or otherwise acquire a facility to house the headquarters of the Department of Transportation, 10 a.m., SD-406.

Committee on Finance, Subcommittee on Health Care, to hold hearings on S. 249, to require that health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissection for the treatment of breast cancer, coverage for reconstructive surgery following mastectomies, and coverage for secondary consultations, 2 p.m., SD-215.

Committee on Foreign Relations, to hold hearings to examine how the American public views NATO enlargement, 10 a.m., SD-419.

Committee on Governmental Affairs, business meeting, to consider pending calendar business, 10 a.m., SD-342.

Committee on the Judiciary, Subcommittee on Immigration, to hold hearings on proposed legislation on the impact of section 110 of the 1996 Immigration Act on land borders of the United States, 10 a.m., SD-562.

Subcommittee on Youth Violence, to hold hearings to examine Federal efforts to prevent juvenile crime, 10 a.m., SD-226.

Full Committee, to hold hearings on the nomination of Seth Waxman, of the District of Columbia, to be Solicitor General of the United States, Department of Justice, 2 p.m., SD-226.

Subcommittee on Technology, Terrorism, and Government Information, closed briefing on the report of the President's Commission on Critical Infrastructure Protection, 2 p.m., SH-217.

Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine the report of the President's Commission on Critical Infrastructure Protection, 3 p.m., SD-226.

Committee on Rules and Administration, business meeting, to consider pending administrative matters, 9:30 a.m., SR-301.

House

Committee on Agriculture, Subcommittee on Forestry, Resource Conservation, and Research, hearing on H.R. 2515, Forest Recovery and Protection Act of 1997, 10 a.m., 1300 Longworth.

Subcommittee on Risk Management and Specialty Crops, hearing to review the Federal Crop Insurance Program, 1 p.m., 1300 Longworth.

Committee on Banking and Financial Services, to markup H.R. 217, Homeless Housing Programs Consolidation and Flexibility Act, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Energy and Power, hearing on the Status of International Global Climate Change Negotiations, 10:30 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing on the Department of Energy's Funding of Molten Metal Technology, 10:30 a.m., 2123 Rayburn.

Committee on Education and the Workforce, to markup a motion to approve a Contract Agreement to provide services to the Committee in relation to the oversight investigation of the International Brotherhood of Teamsters election, 10:30 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Civil Service, hearing on "CSRS-FERS OPEN SEASON—What Are the Merits?" 10 a.m., 2154 Rayburn.

Subcommittee on Government Management, Information, and Technology, oversight hearing on the Federal Advisory Committee Act, 2 p.m., 2247 Rayburn.

Committee on International Relations, hearing on "Soldiers Without Borders: Crisis in Central Africa", 11 a.m., 2172 Rayburn.

Committee on the Judiciary, oversight hearing on The Antitrust Enforcement Agencies: The Antitrust Division of the Department of Justice and the Bureau of Competition of the Federal Trade Commission, 10 a.m., 2141 Rayburn.

Subcommittee on Courts and Intellectual Property, oversight hearing on the Internet Domain Name Trademark Protection, 10 a.m., 2226 Rayburn.

Subcommittee on Immigration and Claims, hearing on H.R. 2759, Health Professional Shortage Area Nursing Relief Act of 1997, 10 a.m., 2237 Rayburn.

Committee on National Security, Subcommittee on Military Research and Development, hearing on ballistic missile threat posed by Iran, 2 p.m., 2118 Rayburn.

Committee on Resources, to consider the following: H.R. 755, to amend the Internal Revenue Code of 1986 to allow individuals to designate and portion their income tax overpayments, and to make other contributions, for the benefit of unites of the National Park System; H.R. 1309, to provide for an exchange of lands with the city of Greeley, Colorado, and The Water Supply and Storage Company to eliminate private inholdings in wilderness areas; and H.R. 1567, Eastern Wilderness Act, 11 a.m., 1324 Longworth.

Committee on Rules, to mark up a resolution amending the Rules of the House of Representatives to repeal the exception to the requirement that public committee proceedings be opened to all Media, 10:30 a.m., H-313 Capitol.

Committee on Science, Subcommittee on Space and Aeronautics, hearing on International Space Station Status and Cost Overruns, 1 p.m., 2318 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on Nonproliferation, 2:30 p.m., H-405 Capitol.

Next Meeting of the SENATE
9:30 a.m., Wednesday, November 5

Senate Chamber

Program for Wednesday: Senate will consider the nomination of James S. Gwin, of Ohio, to be U.S. District Judge for the Northern District of Ohio, with a vote to occur thereon, following which Senate will resume consideration of the motion to proceed to consideration of S. 1269, Reciprocal Trade Agreement Act, with a vote on, or in relation to, the motion to occur thereon.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, November 5

House Chamber

Program for Wednesday: Consideration of H.R. 2676, Internal Revenue Service Restructuring and Reform Act of 1997 (Closed Rule, Two Hours of General Debate);

Consideration of H. Res. 302, providing for consideration of nine measures relating to the policy of the U.S. with respect to China;

Consideration of H.R. 2195, To Provide for Increased Monitoring of Products Made with Forced Labor (Closed Rule, One Hour General Debate);

Consideration of H.R. 967, Free the Clergy Act (Closed Rule, One Hour General Debate);

Consideration of H.R. 2570, Forced Abortion Condemnation Act (Modified Closed Rule, One Hour General Debate);

Consideration of H.R. 2358, Political Freedom in China Act of 1997 (Modified Closed Rule, One Hour General Debate);

Consideration of H.R. 2232, Radio Free Asia Act of 1997 (Closed Rule, One Hour General Debate);

Consideration of H.R. 2605, Communist China Subsidy Reduction Act (Modified Closed Rule, One Hour General Debate);

Consideration of H.R. 2647, Monitoring Commercial Activities of the People's Liberation Army of China (Closed Rule, One Hour General Debate);

Consideration of H. Res. 188, Urging the Executive Branch to Fight Missile Proliferation (Modified Closed Rule, One Hour General Debate); and

Consideration of H.R. 2386, United States-Taiwan Anti-Ballistic Missile Defense Cooperation Act (Modified Closed Rule, One Hour General Debate);

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